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Art Unit: 3739

Examiner: Aaron R. Roane

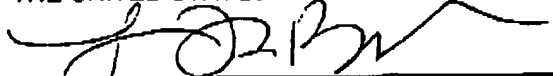
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From: Anne Wang
Reg No. 36,045

Re: Application No. 10/622,221
Filed July 18, 2003
Entitled ENHANCED ABLATION AND MAPPING CATHETER AND METHOD
FOR TREATING ATRIAL FIBRILLATION

File: 50571/AW/W112

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Lisa D. Bronk

*Correspondence: RESPONSE TO RESTRICTION REQUIREMENT

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Lisa D. Bronk

Appl No. : 10/622,221 Confirmation No. 4670
Applicant : Martin O'Sullivan, et al.
Filed : July 18, 2003
Title : ENHANCED ABLATION AND MAPPING CATHETER AND METHOD
FOR TREATING ATRIAL FIBRILLATION

TC/A.U. : 3739
Examiner : Aaron F. Roane

Docket No. : 50571/AW/W112
Customer No. : 23363

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
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April 7, 2005

Commissioner:

In the Office action dated February 10, 2005, the Examiner required restriction to one of two inventions, namely, Group I claims 1-31 drawn to an ablation catheter, and Group II claims 32 and 33, drawn to a method of treating the heart. In accordance with this requirement, Applicant elects, without traverse, Group I claims 1-31.

In addition, the Examiner required restriction to one of two species of the invention, namely Species 1, directed to a single electrode catheter, and Species 2, directed to a multiple electrode catheter. In response to this requirement, Applicant elects, with traverse, Species I, directed to a single electrode catheter. The claims readable on this species include 1-31.

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Amdt date April 7, 2005

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Applicant makes this election with traverse noting that the non-elected Species II, directed to a multiple electrode catheter, is merely a more limited embodiment of the single electrode catheter of Species I. In light of this, Applicant submits that the single electrode catheter of Species I and the multiple electrode catheter of Species II do not constitute patentably distinct species of the invention, and therefore respectfully requests withdrawal of this restriction requirement.

The Examiner also required restriction of the invention to one of two subspecies, namely, Subspecies A directed to a catheter having a ring electrode, and Subspecies B directed to a catheter having a wrapped coil electrode. In response to this requirement, Applicant elects, without traverse, Subspecies B directed to a wrapped coil electrode. The claims readable on this subspecies are 1-31.

Also, the Examiner required restriction to one of four sub-subspecies, namely Sub-subspecies I directed to a nylon porous sleeve, Sub-subspecies II directed to a sintered ceramic porous sleeve, Sub-subspecies III directed to a woven mesh porous sleeve and Sub-subspecies IV directed to a cellular foam porous sleeve. In response to this requirement, Applicant elects, with traverse, Sub-subspecies I directed to a nylon porous sleeve. The claims readable on this sub-subspecies include 1-31. Applicant makes this election with traverse noting that the nonelected sub-subspecies, namely, the sintered ceramic porous sleeve, the woven mesh porous sleeve and the cellular foam porous sleeve, are merely more limited embodiments of the nylon porous sleeve. In view of this, Applicant submits that the

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nylon porous sleeve, the sintered ceramic porous sleeve, the woven mesh porous sleeve and the cellular foam porous sleeve do not constitute patentably distinct species of the invention, and therefore respectfully requests withdrawal of this restriction requirement.

Finally, the Examiner required restriction to one of two sub-sub-species, namely Sub-sub-species alpha depicted in Figure 6 and Sub-sub-species beta depicted in Figure 7. In response to this requirement, Applicant elects, with traverse, Sub-sub-species alpha depicted in Figure 6. There are currently no claims readable on either sub-sub-species. Applicant makes this election with traverse noting that Figures 6 and 7 depict the same catheter, as described in the specification at page 3, lines 28-29. Figures 6 and 7 are merely alternative views of the same puller wire anchor. Specifically, Figure 6 depicts a top cross-sectional view of the puller wire anchor, and Figure 7 depicts a side cross-sectional view of the same puller wire anchor. Accordingly, Applicant submits that Figures 6 and 7 do not depict patentably distinct species of the invention, and therefore respectfully requests withdrawal of this restriction requirement.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By


Anne Wang
Reg. No. 36,045
626/795-9900

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